

December 18, 2020

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WP-12-18-20

**GOVERNMENT SPENDING/COVID-19 RELIEF PACKAGE DEAL ON THE ONE YARD LINE**

This week, Congress directed all attention to a “must-pass” federal appropriations package and negotiating a potential COVID relief package. A COVID-relief bill is likely to be attached to an omnibus government funding package, meaning the two pieces of legislation would move and be signed into law together.

Congressional leaders and the White House have made progress on a COVID-relief bill approaching \$900 billion. Unfortunately, Congress decided to remove the two most contentious provisions: enhanced liability protections for businesses and additional funding for state and local governments. Congress is also working to include a second round of stimulus checks, though these checks would likely be in the \$600 range, down from the \$1,200 checks issued from the CARES Act. The current version of the package would inject \$268 billion into the Paycheck Protection Program (PPP), as well as \$14 billion for Economic Injury Disaster Loans. The package would also allow businesses to deduct expenses that were paid for by PPP loans.

Congressional leaders indicated they may need to work over the weekend and pass a two-day short-term funding bill to avoid a government shutdown, which would occur if no agreement is reached by 11:59 pm tonight.

**IRS PLEDGES TO CLEAR BACKLOG OF MOTOR FUEL EXCISE TAX REFUNDS AND RENEWABLE FUEL BLENDING CREDITS**

The IRS assured EMA this week that the claim payment processing backlog for motor fuel excise tax refunds, and biodiesel blender, alternative fuel mixture and alternative fuel use credits will be resolved by January or February at the latest. EMA has received numerous complaints from marketers over the past six months concerning the accumulation of unpaid IRS claims owed, often reaching into the hundreds of thousands of dollars. Continuing to float the unpaid claims is creating unnecessary financial hardship for many marketers. As a result, clearing up the claim backlog has been a top priority for EMA. EMA has been pressuring the IRS to clear up the backlog since it began last April. Unfortunately, the IRS has not been forthcoming about the extent of the backlog or plans to eliminate it.

In an effort to get definitive answers, EMA enlisted the help of the Senate Finance Committee to pressure the IRS to address the growing backlog. As a result, the IRS finally responded this week with a plan to quickly clear up the processing backlog. According to the IRS, the backlog is due to the disruption in normal work hours and loss of personnel caused by COVID-19. The IRS said that motor fuel excise tax and renewable fuel credit claims filed electronically have been processed in a timely manner throughout the COVID-19 period. However, paper filings requiring hand processing remain backlogged. In order to clear up the backlog the IRS said it will introduce an electronic means of processing paper claims sometime in January or early February. Once electronic processing of paper claims is initiated, the IRS expects overdue payments to be processed quickly and the backlog eliminated. EMA will continue to work with the Senate Finance Committee to ensure that IRS follows through with expedited processing of paper claims and that marketers receive payment for overdue claims as quickly and efficiently as possible.

In the meantime, marketers are advised to file all new refund and credit claims electronically to ensure timely processing. Electronic filing directions are found in the instruction sections of all IRS claim forms. Also, the IRS is required to pay interest on all electronic claims not processed within 20 days of receipt and on paper claims after 45 days. The rate paid is the federal short-term rate (set quarterly) plus three percent compounded daily. The IRS told EMA that checks for payment of backlogged claims will not include interest payments covering the processing delay period. Instead, those payments will follow in a separate check once the claim backlog is cleared.

**USDA OFFERS \$22 MILLION IN GRANTS TO MARKETERS FOR HIGHER BLEND ETHANOL AND BIODIESEL INFRASTRUCTURE**

The U.S. Department of Agriculture (USDA) announced it is reopening the application process for the Higher Blend Infrastructure Incentive Program (HBIIP) for marketers seeking grants to install or upgrade higher blend ethanol and/or biodiesel fueling infrastructure. The application period opens on December 21, 2020 and ends on January 19, 2021. The purpose of the HBIIP program is to increase the sales of E15 or higher ethanol blends biodiesel blends greater than five percent. The USDA is making \$22 million available for both retail and wholesale higher blend infrastructure. HBIIP grants cover up to 50 percent of total eligible project costs up to three million dollars for equipment upgrades at retail fueling facilities, biodiesel distribution facilities, including biodiesel terminal operations and home heating oil distribution centers or equivalent entities. Eligible Project Costs are only those costs incurred through December 31, 2020 and that are directly related to the use and purposes of the HBIIP. The HBIIP application process is lengthy. Applicants are encouraged to start the application process as early as possible before the 30-day period ends.

- Applications must be filed online by clicking on “To Apply” at: [HBIIP Application](#).

### **EMA CONTINUES TO PUSH VACCINES FOR ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS**

Today, EMA joined other fuel and retail associations in another letter to the Centers for Disease Control (CDC) urging prioritization for COVID-19 vaccine distribution to essential workers who are part of the critical infrastructure workforce as part of Phase 1-B of a jurisdiction’s distribution scheme. Phase 1-B would follow behind only those healthcare personnel who are grouped into Phase 1-A.

Click [here](#) to read the letter.

### **CORPORATE TRANSPARENCY ACT INCLUDED IN NATIONAL DEFENSE AUTHORIZATION ACT (NDAA)**

Last week, Congress passed the Fiscal Year 2021 NDAA with overwhelming veto proof majorities. President Trump has threatened to veto the legislation because it fails to repeal Section 230 liability protections for tech companies.

The legislation includes significant changes to the Bank Secrecy Act and anti-money laundering reforms. The NDAA also includes the Corporate Transparency Act (CTA) requiring corporations and limited liability companies (LLCs) with 20 or fewer full-time employees to file new reports with the Treasury Department’s Financial Crimes Enforcement Network (FinCEN) containing the personally identifiable information of small business owners and update that information periodically. The provision raises privacy concerns for small business owners as it establishes a first-of-its-kind federal registry of small business owners.

Click [here](#) for a summary from the National Federation of Independent Business (NFIB).

### **ESG FUNDS ATTRACTING INVESTMENTS AND GOP PUSHBACK**

Nearly 50 House Republicans sent a letter to the Federal Reserve Board (Fed) this week expressing concern over the Fed’s consideration of including climate change in the “stress test” for regulated banks.

Big Banks and Asset Management firms like Blackrock are directing more money to exchange traded funds (ETFs) that tout environmental, social and corporate governance (ESG) practices. Last month, the Fed, for the first time, include climate among the risks outlined in its Financial Stability Report.

In the final days of his Administration, President Trump, with the support of Congressional Republicans, is attempting to limit how big banks and fund managers can use ESG factors as a sole investment determiner. The U.S. Department of Labor recent finalized a rule to limit private retirement plan manager’s leeway to invest based on ESG factors.

President-elect Biden’s priorities will create an inviting platform for continued sustainable and ESG investments. President-elect Biden’s focus on climate and ESG factors is evidenced by his creation of a White House Climate Envoy and nominations of Pete Buttigieg to lead the U.S. Department of Transportation and former Michigan Governor Jennifer Granholm as Energy Secretary.

### **ENERGY PACKAGE IN PLAY FOR YEAR-END LEGISLATION**

Chairman of the Senate Energy and Natural Resources Committee, Senator Lisa Murkowski (R-AK), is attempting to attach her landmark legislation, the American Energy Innovation Act (AEIA) (S.2657) and its House companion (H.R. 4447), to a final year-end COVID relief/omnibus funding legislation package. The Energy Act of 2020 would authorize \$35.2 billion in energy efficiency, renewables, nuclear, carbon capture, direct air capture, grid modernization, and world provide for various Department of Energy (DOE) reforms. There are also discussions of including a possible energy tax incentive provisions in a final package.

### **FEDERATED INSURANCE: RISK MANAGEMENT CORNER**

#### ***Don't Get Reeled into a Phishing Scam***

In an increasingly connected world, businesses are able to work more effectively and efficiently than ever before — but they are also more susceptible to fraud than ever before. It might seem impossible that your business would be the target of a digital scam, but that’s what cyber criminals are counting on. They prey upon the unsuspecting, employing ever-evolving methods to gain access data they can exploit for profit.

To read about Federated’s recommended tips to help get your workers thinking about helping protect your data — and your business — from email scams in their monthly article, please click [here](#).

For additional information or to discuss further, please contact your [Federated](#) regional representative or EMA’s National Account Executive [Jon Medo](#) at 800.533.0472.

## WPMA COVID-19 - CRITICAL REFERENCES FOR MEMBERS

Please visit our web site for up-to-date information related to your business and the COVID-19 pandemic. You will find the link on our home page at [www.wpma.com](http://www.wpma.com).

## MEMBERS AND ASSOCIATES - YOU CAN CONTRIBUTE!

WPMA welcomes industry-related articles for publication in the WPMA News magazine. All members and associate members of WPMA are eligible to submit items for publication. Articles will be included as space allows, and no self-promoting articles or editorials will be accepted. WPMA reserves the right to edit and make adaption of such contributions to accommodate the magazine's space and style. Please submit articles or content to Jan Roothoff, WPMA Administration/IT Director at [janr@wpma.com](mailto:janr@wpma.com), or mail to Jan Roothoff, Western Petroleum Marketers Association, PO Box 571500, Murray, UT 84157-1500. Submissions for the Winter edition of WPMA News magazine are due before November 1<sup>st</sup>. Later submissions will be considered for the Spring issue.

# WPMA EXPO

February 16-18, 2021. The Mirage Las Vegas, Nevada.

## THANK YOU **WPMA EXPO 2021** TOP SPONSORS

as of December 4, 2020

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## MARK YOUR CALENDARS FOR UPCOMING EVENTS

**February 16-18, 2021** – WPMA Convention & Expo – Mirage Hotel– Las Vegas, NV

**March 15, 2021** – Hawaii (HPMA) Golf Tournament – Oahu Country Club – Honolulu, HI

**May 6-7, 2021** - Nevada (NPM&CSA) Big Dogs - Red Rock Hotel & Casino - Las Vegas, NV

**June 1-2, 2021** - Montana (MPMCSA) Convention -Fairmont Hot Springs Resort - Fairmont, MT

**June 21-24, 2021** - Washington (WOMA) Convention - Suncadia Resort - Cle Elum, WA

**June 24, 2021** - Utah (UPMRA) Summer Golf Classic - Bountiful Ridge GC - Bountiful, UT

**July 17-19, 2021** - Oregon (OFA) Annual Conference - Sunriver Resort - Sunriver, OR

**August 4-6, 2021** - Idaho (IPM&CSA) Convention - Sun Valley Resort - Sun Valley, ID

**August 23-25, 2021** - New Mexico (NMPMA) Convention - Sandia Resort & Casino - Albuquerque, NM

**September 15-17, 2021** - Utah (UPMRA) Convention - Sheraton Park City Hotel - Park City, UT

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**Petro Pete: "A positive attitude may not solve all your problems. But it will annoy enough people to make it worth the effort."**

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